

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

----- X

UTSCH'S MARINA, INC.

Plaintiff,

VS.

CIVIL ACTION NO. \_\_\_\_\_

MOTOR VESSEL, "POPS WAY", A 1976  
26' PENN YAN, BEARING HULL ID  
NUMBER PYB26144M75G &  
REGISTRATION NUMBER NJ4159AK,  
HER ENGINES, TACKLE, APPAREL &  
HER APPURTENANCES IN REM &  
LARRY BESA IN PERSONAM

IN ADMIRALTY

MOTION AND ORDER FOR  
APPOINTMENT OF A SUBSTITUTE  
CUSTODIAN  
WITH SUPPORTING  
AFFIDAVIT

AND

MOTOR VESSEL, A 1991 25' GRADY  
WHITE BEARING HULL ID NUMBER  
NTLCB508J091 & REGISTRATION  
NUMBER NJ8418FS, HER ENGINES,  
TACKLE, APPAREL & HER  
APPURTENANCES IN REM & JOSEPH  
FEDELE, JR IN PERSONAM

AND

MOTOR VESSEL, A 34' SILVERTON,  
BEARING HULL ID NUMBER  
STNO2318M80E34C & REGISTRATION  
NUMBER NJ5687WK, HER ENGINES,  
TACKLE, APPAREL & HER  
APPURTENANCES IN REM & DAVID  
FIRTH IN PERSONAM

AND

MOTOR VESSEL, "GOLDEN GAFF", A  
1998 27' 8" BAYLINER, BEARING  
HULL ID NUMBER USCA278CK798 &  
REGISTRATION NUMBER NJ5671GH,  
HER ENGINES, TACKLE, APPAREL &  
HER APPURTENANCES IN REM &

**DAVID GOLDEN IN PERSONAM**

**AND**

**MOTOR VESSEL, "GRABBENFISH", A  
1971 28' PACEMAKER, BEARING  
REGISTRATION NUMBER NJ2399FJ  
HER ENGINES, TACKLE, APPAREL &  
HER APPURTENANCES IN REM &  
ROBERT GRABENSTETTER IN  
PERSONAM**

**AND**

**MOTOR VESSEL, A 1986 29' LUHRS,  
BEARING HULL ID NUMBER  
LHR290026586 & REGISTRATION  
NUMBER PA6439CH, HER ENGINES  
TACKLE, APPAREL & HER  
APPURTENANCES IN REM & WALT  
HAZLET IN PERSONAM**

**AND**

**SAILING VESSEL, "MISS MILLIE, A  
1978 27' BUCCENEER SAILBOAT,  
BEARING HULL ID NUMBER  
BLBE97971077-8Z & REGISTRATION  
NUMBER NJ7363CA, & TRAILER  
BEARING TAG NUMBER TUA705,  
HER ENGINES, TACKLE, APPAREL &  
HER APPURTENANCES IN REM &  
MILLIE JOHNSON IN PERSONAM**

**AND**

**MOTOR VESSEL, "NEVER ENOUGH",  
A 1975 30' TROJAN, BEARING HULL  
ID NUMBER TRJO52631074 &  
REGISTRATION NUMBER NJ5320FH,  
HER ENGINES, TACKLE, APPAREL &  
HER APPURTENANCES IN REM &  
ROBERT L. OBERHOLTZER IN  
PERSONAM**

**AND**

**MOTOR VESSEL, "MAVERICK", A  
1986 34' SILVERTON, BEARING HULL  
ID NUMBER STN34267H485 &  
REGISTRATION NUMBER NJ8450FB,  
HER ENGINES, TACKLE, APPAREL &  
HER APPURTENANCES IN REM &  
NORLYN RITTER IN PERSONAM**

**AND**

**MOTOR VESSEL, "SEA MISTRESS", A  
26' CRUISERS, BEARING HULL ID  
NUMBER CRS744288885, HER  
ENGINES, TACKLE, APPAREL & HER  
APPURTENANCES IN REM & RICK  
SIKORA IN PERSONAM**

**AND**

**MOTOR VESSEL, "CHILLIN OUT," A  
25' PARKER, BEARING HULL ID  
NUMBER PXM25572K990 &  
REGISTRATION NUMBER NJ0439FO,  
HER ENGINES, TACKLE, APPAREL &  
HER APPURTENANCES IN REM &  
ROD THOMPSON IN PERSONAM**

**Defendants**

**Defendants**

----- X

Plaintiff, Utsch's Marina Inc., by and through its attorneys, Eugene J. McDonald, Esq.,  
having appeared and made the following recitals:

1. On July \_\_\_, 2011 the Verified Complaint herein was filed praying that Motor  
Vessel "Pops Way: a 1976 26' Penn Yan, bearing Hull ID Number PYB26144M75G &  
Registration Number NJ4159AK, her engines, tackle, apparel and appurtenances, be condemned  
and sold to pay Plaintiff's demands and claims for other proper relief.

2. On July \_\_\_, 2011 the Verified Complaint herein was filed praying that Motor  
Vessel, a 1991 25' Grady White bearing Hull ID Number NTLCB508J091 and Registration

Number NJ8418FS, her engines, tackle, apparel and appurtenances, be condemned and sold to pay Plaintiff's demands and claims for other proper relief.

3. On July \_\_\_, 2011 the Verified Complaint herein was filed praying that Motor Vessel a 34' Silverton, bearing Hull ID Number STNO2318M80E34C and Registration Number NJ5687WK, her engines, tackle, apparel and appurtenances (hereinafter referred to as "Motor Vessel"), be condemned and sold to pay Plaintiff's demands and claims for other proper relief.

4. On July \_\_\_, 2011 the Verified Complaint herein was filed praying that Motor Vessel "Golden Gaff", a 1998 27' 8" Bayliner, bearing Hull ID Number USCA278CK798 Registration Number NJ5671GH, her engines, tackle, apparel and appurtenances, be condemned and sold to pay Plaintiff's demands and claims for other proper relief.

5. On July \_\_\_, 2011 the Verified Complaint herein was filed praying that Motor Vessel "Grabbenfish", a 1971 28' Pacemaker, bearing Registration Number NJ2399FJ, her engines, tackle, apparel and appurtenances, be condemned and sold to pay Plaintiff's demands and claims for other proper relief.

6. On July \_\_\_, 2011 the Verified Complaint herein was filed praying that Motor Vessel, a 1986 29' Luhrs, bearing Hull ID Number LHR290026586, Registration Number PA6439CH, her engines, tackle, apparel and appurtenances, be condemned and sold to pay Plaintiff's demands and claims for other proper relief.

7. On July \_\_\_, 2011 the Verified Complaint herein was filed praying that Sailing Vessel, "Miss Millie, a 1978 27' Bucceneer Sailboat, bearing Hull ID Number BLBE97971077-8Z & Registration Number NJ 7363CA, and trailer bearing Tag Number TUA 705, her engines, tackle, apparel and appurtenances, be condemned and sold to pay Plaintiff's demands and claims for other proper relief.

8. On July \_\_\_, 2011 the Verified Complaint herein was filed praying Motor Vessel "Never Enough", a 1975 30' Trojan, Bearing Hull ID Number TRJO52631074 & Registration

Number NJ5320FH, her engines, tackle, apparel & her appurtenances, be condemned and sold to pay Plaintiff's demands and claims for other proper relief.

9. On July \_\_\_, 2011 the Verified Complaint herein was filed praying that Motor Vessel "Maverick", a 1986 34' Silverton, bearing Hull ID Number STN34267H485, and Registration Number NJ8450FB her engines, tackle, apparel and appurtenances, be condemned and sold to pay Plaintiff's demands and claims for other proper relief.

10. On July \_\_\_, 2011 the Verified Complaint herein was filed praying that Motor Vessel "Sea Mistress", a 26 ' Cruisers, bearing Hull ID Number CRS744288885, her engines, tackle, apparel & her appurtenances, be condemned and sold to pay Plaintiff's demands and claims for other proper relief.

11. On July \_\_\_, 2011 the Verified Complaint herein was filed praying Motor Vessel, "Chillin Out". a 25' Parker, bearing Hull ID Number PXM25572K990 & Registration Number NJ0439FO, her engines, tackle, apparel and appurtenances, be condemned and sold to pay Plaintiff's demands and claims for other proper relief.

12. On July \_\_\_, 2011, the Clerk of this Court issued a Warrant of Arrest of Vessel commanding the United States Marshall, for the District of New Jersey, to arrest and take into custody the defendant vessels and to detain the same in his custody until further Order of the Court.

13. It is contemplated that the United States Marshall will seize the defendant vessels forthwith. Custody by the United States Marshall requires the services of one or more keepers alone and not including charges for wharfage and other services usually associated with safekeeping vessels similar to this vessel.

14. The defendant vessels are currently dry docked at Utsch's Marina, Inc., 1121 Route 109, Schellenger's Landing, Cape May, New Jersey 08204.

Utsch's Marina, Inc., has agreed to assume responsibility for safekeeping the said vessel, and has consented to act as the custodian upon Order of this Court, all for a sum, including wharfage and routine services required for the safekeeping of the particular vessel, at a rate of \$50.00 per day.

15. The United States Marshall is unable to perform or to have performed at a comparable rate these same services. Additional services to be performed by Utsch's Marina, Inc., will include hauling, dry storage, winterization of the engine(s) and shrink wrapping, etc. which services are to be performed at separate costs, not to exceed \$2,500.00. In any case, the safekeeping will not be affected until the Court approves such custodianship and all such charges have been paid by the moving party.

16. Ernest Utsch by Affidavit appended hereto as Exhibit "A" and made a part hereof, avers that Utsch's Marina, Inc., has adequate facilities and supervision for proper maintenance and safekeeping of the vessels, their engines, tackle appurtenance, furnishing, etc. and has presented proof of insurance to the United States Marshall sufficient to respond in damages for loss or damage to the defendant vessels, appended here to as Exhibit "B" and made a part hereof, etc., faults, or negligence of said substitute custodial or its agents.

17. Respectfully submitted,

**EUGENE J. MCDONALD, ESQ.**  
**170 Broad Street**  
**Matawan, NJ 07747**  
**Telephone: 732 583 8485**  
**Attorney for Plaintiff**

**NOW THEREFORE IT IS:**

**ORDERED** that the substitute custodian, in consideration of the United States Marshall's consent to the substitution of custody, shall indemnify, hold harmless, and release the United States Marshall, the United States of America, their agents, servants, employees, and all other for whom they are responsible, from any and all liability and responsibility arising out of the care and custody of the vessels, their engines, tackle, appurtenances, furnishings, etc. from the date of the transfer of possession of said vessels, their engines, tackle, appurtenances, furnishings, etc., and it is further:

**ORDERED** that substitute custodian shall defend the United States of America, the United States Marshall, their agents, servants, employees, and all other for whom they are responsible, for all attorneys' fees, cost, expenses and disbursements incurred in defending agents such claims or actions arising out of said substitute custody, and it is further:

**ORDERED** that the United States Marshall for the District of New Jersey shall surrender the possession of the defendant vessels to the substitute custodian named herein upon executing the warrant in this action, and it is further:

**ORDERED** that all United States Marshall's costs be paid prior to release of said vessels, and it is further:

**ORDERED** that the substitute custodian must receipt for the vessels and the United States Marshall must attest to the date and time of release on a certified copy thereof, and it is further:

**ORDERED** that plaintiff's attorney will serve all defendant owners of defendant vessels named herein and in the Verified Complaint, a copy of this Order.

Dated this \_\_\_\_ day of July 2011.  
Camden, New Jersey

---

UNITED STATES DISTRICT JUDGE

# EXHIBIT A



**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

----- X

**UTSCH'S MARINA, INC.**

**Plaintiff,**

**VS.**

**MOTOR VESSEL, "POPS WAY", A 1976  
26' PENN YAM, BEARING HULL ID  
NUMBER PYB26144M75G &  
REGISTRATION NUMBER NJ4159AK,  
HER ENGINES, TACKLE, APPAREL &  
HER APPURTENANCES IN REM &  
LARRY BESA IN PERSONAM**

**CIVIL ACTION NO. \_\_\_\_\_**

**IN ADMIRALTY**

**AND**

**MOTOR VESSEL, A 1991 25' GRADY  
WHITE BEARING HULL ID NUMBER  
NTLCB508J091 & REGISTRATION  
NUMBER NJ8418FS, HER ENGINES,  
TACKLE, APPAREL & HER  
APPURTENANCES IN REM & JOSEPH  
FEDELE, JR IN PERSONAM**

**AFFIDAVIT IN SUPPORT OF  
MOTION AND ORDER FOR  
APPOINTMENT OF A SUBSTITUTE  
CUSTODIAN**

**AND**

**MOTOR VESSEL, A 34' SILVERTON,  
BEARING HULL ID NUMBER  
STNO2318M80E34C & REGISTRATION  
NUMBER NJ5687WK, HER ENGINES,  
TACKLE, APPAREL & HER  
APPURTENANCES IN REM & DAVIS  
FIRTH IN PERSONAM**

**AND**

**MOTOR VESSEL, "GOLDEN GAFF", A  
1998 27' 8" BAYLINER, BEARING  
HULL ID NUMBER USCA278CK798 &  
REGISTRATION NUMBER NJ5671GH,  
HER ENGINES, TACKLE, APPAREL &  
HER APPURTENANCES IN REM &  
DAVID GOLDEN IN PERSONAM**

**AND**

**MOTOR VESSEL, "GRABBENFISH', A  
1971 28' PACEMAKER, BEARING  
REGISTRATION NUMBER NJ2399FJ  
HER ENGINES, TACKLE, APPAREL &  
HER APPURTENANCES IN REM &  
ROBERT GRABENSTETTER IN  
PERSONAM**

**AND**

**MOTOR VESSEL, A 1986 29' LUHRS,  
BEARING HULL ID NUMBER  
LHR290026586 & REGISTRATION  
NUMBER PA6439CH, HER ENGINES  
TACKLE, APPAREL & HER  
APPURTENANCES IN REM & WALT  
HAZLET IN PERSONAM**

**AND**

**SAILING VESSEL, "MISS MILLIE, A  
1978 27' BUCCENEER SAILBOAT,  
BEARING HULL ID NUMBER  
BLBE97971044-82 & REGISTRATION  
NUMBER NJ7363CA, & TRAILER  
BEARING TAG NUMBER TUA705,  
HER ENGINES, TACKLE, APPAREL &  
HER APPURTENANCES IN REM &  
MILLIE JOHNSON IN PERSONAM**

**AND**

**MOTOR VESSEL, "NEVER ENOUGH",  
A 1975 30' TROJAN, BEARING HULL  
ID NUMBER TRJO52631074 &  
REGISTRATION NUMBER NJ5320FH,  
HER ENGINES, TACKLE, APPAREL &  
HER APPURTENANCES IN REM &  
ROBERT L. OBERHOLTZER IN  
PERSONAM**

**AND**

**MOTOR VESSEL, "MAVERICK", A  
1986 34' SILVERTON, BEARING HULL  
ID NUMBER STN34267H485 &  
REGISTRATION NUMBER NJ8450FB,  
HER ENGINES, TACKLE, APPAREL &  
HER APPURTENANCES IN REM &  
NORLYN RITTER IN PERSONAM**

**AND**

**MOTOR VESSEL, "SEA MISTRESS", A  
26' CRUISERS, BEARING HULL ID  
NUMBER CRS744288885, HER  
ENGINES, TACKLE, APPAREL & HER  
APPURTENANCES IN REM & RICK  
SIKORA IN PERSONAM**

**AND**

**MOTOR VESSEL, "CHILLIN OUT," A  
25' PARKER, BEARING HULL ID  
NUMBER PXM25572K990 &  
REGISTRATION NUMBER NJ0439FO,  
HER ENGINES, TACKLE, APPAREL &  
HER APPURTENANCES IN REM &  
ROD THOMPSON IN PERSONAM**

**Defendants**  
-----

Ernest Utsch, of full age, being duly sworn, according to law, upon his oath, deposes and says:

1. I am the President of Utsch's Marina, Inc., and am authorized to make this affidavit.
2. I, as president of Utsch's Marina, Inc., aver that said corporation has adequate facilities and supervision for the proper maintenance and safekeeping of the Vessels, their engines, tackle, appurtenances, furnishings, etc., and has presented proof of insurance to the United States Marshal sufficient to respond in damages for the loss or damage to the Defendant Vessels, appended hereto as Exhibit B and made a part hereof etc., faults, or negligence of said substitute custodian or its agents.
3. During the pendency of this arrest the vessels will be drydocked at the premises of the plaintiff corporation, that being 1121 Route 109, Schellenger's Landing, Cape May, New Jersey 08204.
4. On July \_\_\_, 2011 the Verified Complaint herein was filed praying that Motor Vessel "Pops Way: a 1976 26' Penn Yam, bearing Hull ID Number PYB26144M75G & Registration Number NJ4159AK, her engines, tackle, apparel and appurtenances, be condemned and sold to pay Plaintiff's demands and claims for other proper relief.
5. On July \_\_\_, 2011 the Verified Complaint herein was filed praying that Motor Vessel, a 1991 25' Grady White bearing Hull ID Number NTLCB508J091 and Registration Number NJ8418FS, her engines, tackle, apparel and appurtenances, be condemned and sold to pay Plaintiff's demands and claims for other proper relief.
6. On July \_\_\_, 2011 the Verified Complaint herein was filed praying that Motor Vessel a 34' Silvertown, bearing Hull ID Number STNO2318M80E34C and Registration Number

NJ5687WK, her engines, tackle, apparel and appurtenances (hereinafter referred to as "Motor Vessel"), be condemned and sold to pay Plaintiff's demands and claims for other proper relief.

7. On July \_\_\_, 2011 the Verified Complaint herein was filed praying that Motor Vessel "Golden Gaff", a 1998 27' 8" Bayliner, bearing Hull ID Number USCA278CK798 Registration Number NJ5671GH, her engines, tackle, apparel and appurtenances, be condemned and sold to pay Plaintiff's demands and claims for other proper relief.

8. On July \_\_\_, 2011 the Verified Complaint herein was filed praying that Motor Vessel "Grabbenfish", a 1971 28' Pacemaker, bearing Registration Number NJ2399FJ, her engines, tackle, apparel and appurtenances, be condemned and sold to pay Plaintiff's demands and claims for other proper relief.

9. On July \_\_\_, 2011 the Verified Complaint herein was filed praying that Motor Vessel, a 1986 29' Luhrs, bearing Hull ID Number LHR290026586, Registration Number PA6439CH, her engines, tackle, apparel and appurtenances, be condemned and sold to pay Plaintiff's demands and claims for other proper relief.

10. On July \_\_\_, 2011 the Verified Complaint herein was filed praying that Sailing Vessel, "Miss Millie, a 1978 27' Bucceneer Sailboat, bearing Hull ID Number BLBE97971077-82 & Registration Number NJ 7363CA, and trailer bearing Tag Number TUA 705, her engines, tackle, apparel and appurtenances, be condemned and sold to pay Plaintiff's demands and claims for other proper relief.

11. On July \_\_\_, 2011 the Verified Complaint herein was filed praying Motor Vessel "Never Enough", a 1975 30' Trojan, Bearing Hull ID Number TRJO52631074 & Registration Number NJ5320FH, her engines, tackle, apparel & her appurtenances, be condemned and sold to pay Plaintiff's demands and claims for other proper relief.

12. On July \_\_\_, 2011 the Verified Complaint herein was filed praying that Motor Vessel "Maverick", a 1986 34' Silverton, bearing Hull ID Number STN34267H485, her engines, tackle, apparel and appurtenances, be condemned and sold to pay Plaintiff's demands and claims for other proper relief.

13. On July \_\_\_, 2011 the Verified Complaint herein was filed praying that Motor Vessel "Sea Mistress", a 26 ' Cruisers, bearing Hull ID Number CRS74488885, her engines, tackle, apparel & her appurtenances, be condemned and sold to pay Plaintiff's demands and claims for other proper relief.

14. On July \_\_\_, 2011 the Verified Complaint herein was filed praying Motor Vessel, "Chillin Out". a 25' Parker, bearing Hull ID Number PXM25572K990 & Registration Number NJ0439FO, her engines, tackle, apparel and appurtenances, be condemned and sold to pay Plaintiff's demands and claims for other proper relief.

15. On July \_\_\_, 2011 the Clerk of this Court issued a Warrant of Arrest of Vessel commanding the United States Marshall, for the District of New Jersey, to arrest and take into custody the defendant vessels and to detain them in his custody until further Order of the Court.

16. It is contemplated that the United States Marshall will seize the defendant vessels forthwith. Custody by the United States Marshall requires the services of one or more keepers alone and not including charges for wharfage and other services usually associated with safekeeping vessels similar to these vessels.

17. The defendant vessels are currently dry docked at Utsch's Marina, Inc., 1121 Route 109, Schellenger's Landing, Cape May, New Jersey 08204. I, as President of Utsch's Marina, Inc., have agreed to assume the responsibility for safekeeping the said vessels, and have consented to act as the custodian upon Order of this Court, all for a sum of \$50.00 a day.

18. The United States Marshall is unable to perform or to have performed at a comparable rate these same services. Additional services to be performed by Utsch's Marina, Inc., will include hauling, dry storage, winterization of the engine(s) and shrink wrapping, etc. which services are to be performed at separate costs, not to exceed \$2,500.00. In any case, the safekeeping will not be affected until the Court approves such custodianship and all such charges have been paid by the moving party.

19. I, as President of Utsch's Marina, Inc., aver that said company has adequate facilities and supervision for proper maintenance and safekeeping of the vessels, their engines, tackle, appurtenance, furnishing, etc. and has presented proof of insurance to the United States Marshall sufficient to respond in damages for loss or damage to the defendant vessels, appended hereto as Exhibit "B" and made a part hereof, etc., faults, or negligence of said substitute custodian or its agents.

20. The substitute custodian, in consideration of the United States Marshall's consent to the substitution of custody, shall indemnify, hold harmless, and release the United States Marshall, the United States of America, their agents, servants, employees, and all other for whom they are responsible, from any and all liability and responsibility arising out of the care and custody of the vessels, their engines, tackle, appurtenances, furnishings, etc.

21. The substitute custodian shall defend the United States of America, the United States Marshall, their agents, servants, employees, and all other for whom they are responsible to pay and satisfy all claims and judgments that might arise out of said substitute custody and shall be responsible and indemnify and hold harmless the United States of America, the United States Marshall, their agents, servants, employees, and all other for whom they are responsible, for all

attorneys' fees, cost, expenses and disbursements incurred in defending agents such claims or actions arising out of said substitute custody.

22. The substitute custodian will execute a receipt for the vessels to the United States Marshall and will attest to the date and time of same.

I hereby certify that the foregoing statements made by me are true. I am aware that if the foregoing statements made by me are willfully false, I am subject to punishment by law.

Dated: July \_\_\_\_, 2011

Ernest Utsch  
Ernest Utsch,

Sworn to and subscribed before me this  
day of July, 2011

John M. Fleming  
Notary Public, State of New Jersey

**JOHN M. FLEMING**  
**NOTARY PUBLIC OF NEW JERSEY**  
Commission Expires 5/00/2013



# EXHIBIT B



ADMINISTRATIVE OFFICES  
301 E 4th Street • Cincinnati, OH 45202-4201  
513.369.5000  
www.GreatAmericanInsurance.com

GAI 2430 (Ed. 08 05)

Policy No. OMH 7887953 19  
Renewal Of OMH 7887953 18

## MARINE COMPOSITE POLICY DECLARATIONS

<b>NAMED INSURED AND ADDRESS:</b> UTSCH'S CORPORATION 1121 ROUTE 109 & S. LANDING CAPE MAY, NJ 08204	<b>POLICY PERIOD:</b> 12:01 A.M. Standard Time at the address of the Named Insured shown at left. From 05/19/2011 To 05/19/2012
<b>IN RETURN FOR PAYMENT OF THE PREMIUM, AND SUBJECT TO ALL TERMS OF THIS POLICY, WE AGREE WITH YOU TO PROVIDE THE INSURANCE AS STATED IN THIS POLICY.</b>	<b>AGENT'S NAME AND ADDRESS:</b> MIP INC 1 LETHBRIDGE PLZ # 30 MAHWAH, NJ 07430 - 2126

Insurance is afforded by company indicated below:  
(A capital stock corporation)

Great American Insurance Company of New York

### POLICY SECTIONS

- I. BOAT DEALER'S COVERAGE FORM
- II. MARINA OPERATOR'S LEGAL LIABILITY COVERAGE FORM
- III. MARINE COMMERCIAL LIABILITY COVERAGE FORM
- IV. PROTECTION & INDEMNITY COVERAGE FORM
- V. OWNED WATERCRAFT COVERAGE FORM
- VI. OWNED EQUIPMENT COVERAGE FORM
- VII. MARINE COMPOSITE POLICY GENERAL EXCLUSIONS
- VIII. MARINE COMPOSITE POLICY GENERAL CONDITIONS
- IX. ADDITIONAL COVERAGE FORMS AND ENDORSEMENTS

TOTAL POLICY PREMIUM: \$ 29,175.00

### SUBJECT TO CONDITIONS OF FORMS ATTACHED:

Subject to the Schedule of Coverages on the following pages of this Declarations, and the terms and conditions of the Coverage Forms and Endorsements attached hereto. In the event that any of the clauses contained in Section VII. General Policy Exclusions or Section VIII. General Policy Conditions attached hereto are in conflict with the specific clauses contained in the Coverage Forms and Endorsements attached hereto, the specific clauses contained in the Coverage Form or Endorsement shall take precedence and be applicable.



Administrative Offices  
301 E 4th Street  
Cincinnati, OH 45202-4201  
513 369 5000 ph

IL 70 01 (Ed. 10 07)

Policy No. CPP 7-09-76-89 - 20  
Renewal Of CPP 7-09-76-89 - 19

**BUSINESSPRO® POLICY COMMON DECLARATIONS**

**NAMED INSURED** UTSCH S MARINA INC.  
1121 ROUTE 109  
**AND ADDRESS:** SCHELLINGER LANDING  
CAPE MAY, NJ 08204

**IN RETURN FOR PAYMENT OF THE  
PREMIUM, AND SUBJECT TO ALL  
TERMS OF THIS POLICY, WE AGREE  
WITH YOU TO PROVIDE THE INSURANCE  
AS STATED IN THIS POLICY.**

**AGENT'S NAME AND ADDRESS:**  
MIP INC  
1 LETHBRIDGE PLZ 30  
MAHWAH NJ 07430

Insurance is afforded by the Company named below, a Capital Stock Corporation:  
GREAT AMERICAN INSURANCE COMPANY OF NEW YORK

**POLICY PERIOD:** From 05/19/11 To 05/19/12  
12:01 A.M. Standard Time at the address of the Named Insured

This policy consists of the following Coverage Parts for which a premium is indicated. This premium may be subject to adjustment.

	Premium
Commercial Property	\$ 7,176.00
Commercial General Liability	\$
Commercial Crime and Fidelity	\$
Commercial Inland Marine	\$
Commercial Equipment Breakdown	\$
Commercial Auto	\$
Commercial Umbrella	\$
TERRORISM FIRE CHARGE	\$ 43.00
NJ SURCHARGE	\$ 64.96
	\$
	\$
	\$
	\$
	\$
	\$
	\$
<b>TOTAL</b>	<b>\$ 7,283.96</b>

**FORMS AND ENDORSEMENTS** applicable to all Coverage Parts and made part of this Policy at time of issue are listed on the attached Forms and Endorsements Schedule  
IL 88 01 (11/85)

**POLICY ALTERNATE MAILING ADDRESS:**

Agent Signature

Date

6/10/2011